



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/782,866

02/23/2004

Kang Soo Seo

1740-000084/US

7080

30593

7590

02/23/2009

HARNESS, DICKEY & PIERCE, P.L.C.

P.O. BOX 8910

RESTON, VA 20195

EXAMINER

DUNN, MISHAWN N

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

02/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|-----------------------------------|--|
| Office Action Summary | Application No. 10/782,866 | Applicant(s) SEO ET AL. | |
| | Examiner MISHAWN DUNN | Art Unit 2621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,7,13-18,20,21,23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,7,13-18,20,21,23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/08,9/08,11/08,12/08,12/08,1/09</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/27/2008 have been fully considered but they are not persuasive.
2. Applicant argues that neither Kato et al., Hirayama et al., nor McMahon et al. teach "a playlist area storing a first playlist file and a second playlist file including at least one playitem identifying a playing interval in a clip of the video data respectively, the first and second playlist files identifying video data of different reproduction paths from each other and the playing interval including an IN-point and OUT-point indicating positions of the clip" as claimed.

The examiner respectfully disagrees. Kato et al. teaches a playlist area storing a first playlist file and a second playlist file including at least one playitem identifying a playing interval in a clip of the video data respectively in figures 2 and 14. Kato et al. further teaches the playing interval including an IN-point and OUT-point indicating positions of the clip in figure 3. Hirayama et al. teaches the first and second playlist files identifying video data of different reproduction paths from each other in figure 9A.

3. Applicant also argues that neither Kato et al., Hirayama et al., nor McMahon et al. teach "the first navigation segment and the second navigation segment launching the first playlist file and the second playlist file by using a first navigation command and a second navigation command" as recited"

The examiner respectfully disagrees. Hirayama et al. teaches the first navigation segment and the second navigation segment (fig. 9A, stories #1-#3) launching the first

Art Unit: 2621

playlist file and the second playlist file by using a first navigation command and a second navigation command (col. 9, lines 6-26).

4. The rejection of claims 1-3 and 7 under 35 U.S.C. 101 has been withdrawn as discussed in the interview.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 7, 13, 14, 17, 18, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. (US Pub. No. 2005/0019007) in view of Hirayama et al. (US Pat. No. 5,630,006).

7. Consider claim 1. Kato et al. teaches a recording medium having a data structure for managing playback control video data, comprising: a data area storing a stream file including the video data; a playlist area storing a first playlist file and a second playlist file including at least one playitem identifying a playing interval in a clip of the video data respectively, and the playing interval including an IN-point and OUT-point indication position of the clip (paras. 0027, 0031, 00184; figs. 3, 9, and 14).

Kato et al. does not teach the first and second playlist files identifying video data of different reproduction paths from each other, a navigation area storing a navigation

Art Unit: 2621

file including first and second navigation segments, the first navigation segment and the second navigation segment launching the first playlist file and second playlist file by using a first navigation command and a second navigation comment, respectively such that the first navigation segment and the second navigation segment represent different reproduction paths of a title of the video data.

However, Hirayama et al. teaches the first and second playlist files identifying video data of different reproduction paths from each other, a navigation area storing a navigation file including first and second navigation segments, the first navigation segment and the second navigation segment launching the first playlist file and second playlist file by using a first navigation command and a second navigation comment, respectively such that the first navigation segment and the second navigation segment represent different reproduction paths of a title of the video data (col. 5, line 39 – col. 6, line 62; col. 9, lines 6-26; fig. 9A).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to include a navigation command for launching a playlist with a first navigation segment and a second navigation segment representing different reproduction paths of a title, in order to allow a view of multiple scenes of video data.

8. Consider claim 2. Hirayama et al. teaches the recording medium of claim 1, wherein the multiple reproduction paths constitute a multi-path structure (col. 5, line 39 – col. 6, line 62; figs. 3B and 4A-C).

Art Unit: 2621

9. Consider claim 3. Hirayama et al. teaches the recording medium of claim 2, wherein a branch point of the branch structure is a boundary of the playlist file (col. 5, line 39 – col. 6, line 62; figs. 3B and 4A-C).
10. Consider claim 7. Kato et al. teaches the recording medium of claim 1, further comprising: a clip information file storing at least one clip information file associated with the stream file (paras. 0260, 0431; fig. 14).
11. Claims 13, 14, 17, 18, 20 and 21 are rejected using similar reasoning as the corresponding claims above.
12. Claims 15, 16, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. (US Pub. No. 2005/0019007) in view of Hirayama et al. (US Pat. No. 5,630,006) in further view of Sasaki et al. (US Pub. No. 7,050,384).
13. Consider claim 15. Kato et al. and Hirayama et al. teach all the claimed limitations as stated above, except a driver for driving an optical recording device to record data on the recording medium and a controller for controlling the driver to record an information file on the recording medium.

However, Sasaki discloses a driver for driving an optical recording device to record data on the recording medium and a controller for controlling the driver to record an information file on the recording medium (fig. 1).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to provide a driver for driving an optical recording

Art Unit: 2621

device and a controller for controlling the driver, in order to record data on the recording medium.

14. Consider claim 23. Hirayama et al. teaches the method of claim 15, wherein the multiple paths constitute a branch structure (fig. 9A).

15. Claims 16 and 25 are rejected using similar reasoning as the corresponding claim above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISHAWN DUNN whose telephone number is

Art Unit: 2621

(571)272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MISHAWN DUNN/
Examiner, Art Unit 2621
February 16, 2009

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621